



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: State Board of Health

Subject of possible rule making: WAC 246-272A-0130 On-site Sewage Systems - Bacteriological Reduction. This rule making will address on-site sewage system proprietary treatment products and the performance testing protocol used to demonstrate fecal coliform reduction.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050

Reasons why rules on this subject may be needed and what they might accomplish: During the recent on-site rule revision process, the Board adopted a protocol for demonstrating that products meet fecal coliform standards. The Board and the Department of Health worked closely with the National Sanitation Foundation(NSF) throughout rule development. However, new information from the NSF recently indicated the protocol is impractical for some testing facilities. A workable protocol is critical so that product manufacturers have clear direction as to the requirements for product registration.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
None

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) The Board and the Department of Health will work closely with the NSF and product manufacturers during rule development to ensure that the testing protocol will be practical and workable. Interested parties will be asked to provide input through mailings, e-mail and the program's website.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

John Eliasson, Department of Health, PO Box 47825, WA 98504-7825, (360) 236-3041, john.eliasson@doh.wa.gov

Ned Therien, State Board of Health, PO Box 47990, Olympia, WA 98504-7990, (360) 236-4103, ned.therien@doh.wa.gov

DATE

8/15/05

NAME (TYPE OR PRINT)

Craig McLaughlin

SIGNATURE

Craig McLaughlin

TITLE

Executive Director

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